

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SHERRY GRAHAM-ADAMS,

Plaintiff,

VS.

OMAHA HOUSING AUTHORITY,

Defendant.

CASE NO. 8:05CV261

ORDER

This matter is before the Court on the Defendant's Motion for Leave to file a summary judgment motion out of time. (Filing No. 29). In March, at the Plaintiff's request, the discovery deadline and the deadline for filing motions for summary judgment were extended. The new deadline for filing summary judgment motions became May 1, 2006. The motion for leave was filed eleven days after the deadline had passed. I have reviewed the motion, and, I note that no opposition to the motion has been filed by the Plaintiff. The Court concludes that the Defendant should be permitted to file the motion out of time. Because there are only a few weeks to consider the motion before the parties begin to prepare for trial scheduled to begin on July 24, 2006, I also conclude that no reply brief will be allowed. Accordingly,

IT IS ORDERED:

1. The Defendant's Motion for Leave to File a Summary Judgment Motion out of Time (Filing No. 29) is granted;
2. The Defendant is given leave to file its motion for summary judgment, supporting brief, and index of evidence, if any, on or before Monday, May 15, 2006;
3. The Plaintiff shall respond to the motion by filing a brief and evidence, if any, on or before Monday, June 5, 2006.

4. The Defendant is not given leave to file a reply brief.

Dated this 12th day of May, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge